

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MALINDA J. POLEY,

Defendant.

**4:02CR3130**

DETENTION ORDER PENDING  
REVOCATION

The defendant was afforded an opportunity for a detention hearing, but waived that right and agreed to be detained without a hearing. Defendant, who is currently in state custody, has therefore failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released.

Accordingly,

IT IS ORDERED:

- 1) The defendant shall be returned to state custody for confinement on state charges.
- 2) Upon release from state custody, the U.S. Marshal is commanded to take custody of the above-named defendant for further proceedings in this court.
- 3) The defendant shall be afforded reasonable opportunity for private consultation with counsel while detained.

January 21, 2014.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge